

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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360 MORTGAGE GROUP, LLC, :
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Plaintiff, :
: 19-CV-8760 (JMF)
-v- :
:
FORTRESS INVESTMENT GROUP LLC, :
:
Defendant. :
:
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JESSE M. FURMAN, United States District Judge:

As stated on the record during the conference held earlier today:

- Defendant's *Daubert* motions are due by **March 17, 2023**, in the form of a **single, consolidated** motion. Plaintiff's opposition is due **April 14, 2023**, and Defendant's reply, if any, is due **April 21, 2023**. The parties are granted thirty pages for their initial briefs, and Defendant is granted twelve pages for its reply.
- HUD shall **complete** document production by **April 7, 2023**, and all HUD depositions shall be completed by **May 5, 2023**. The parties and HUD should not expect any extensions of these deadlines. In light of these deadlines, the parties need not submit further updates on the status of HUD discovery. *See* ECF No. 273.
- In the case of discovery disputes, the parties and HUD should follow Local Civil Rule 37.2 with the following modifications. Any party wishing to raise a discovery dispute with the Court must first confer in good faith with the opposing party, in person or by telephone, in an effort to resolve the dispute. If this meet-and-confer process does not resolve the dispute, the party shall, in accordance with the Court's Individual Rules and Practices in Civil Cases, promptly file a letter-motion, no longer than three pages, explaining the nature of the dispute and requesting an informal conference. Any letter-motion seeking relief must include a representation that the meet-and-confer process occurred and was unsuccessful. Any opposition to a letter-motion seeking relief shall be filed as a letter, not to exceed three pages, within three business days. Counsel should be prepared to discuss with the Court the matters raised by such letters, as the Court will seek to resolve discovery disputes quickly, by order, by conference, or by telephone. Counsel should seek relief in accordance with these procedures in a timely fashion; if a party waits until near the close of discovery to raise an issue that could have been raised earlier, the party is unlikely to be granted the relief that it seeks, let alone more time for discovery.

- The parties shall file their proposed Joint Pretrial Order and associated materials (in accordance with Section 5 of the Court's Individual Rules and Practices in Civil Cases, available at <https://www.nysd.uscourts.gov/hon-jesse-m-furman>), including joint requests to charge, joint proposed verdict forms, joint proposed *voir dire* questions, and motions *in limine*, by **May 26, 2023**. Any opposition to motions *in limine* shall be filed by **June 9, 2023**. No replies may be filed without prior leave of Court. Proposed jury instructions may not be submitted after the Joint Pretrial Order due date unless they meet the standard of Fed. R. Civ. P. 51(a)(2)(A).
- Trial will begin on **September 26, 2023**, at **9:30 a.m.** The parties shall advise the Court of any irreconcilable conflicts with that date **within one week**. Unless and until the Court orders otherwise, that date is a **firm** date.
- Any application to modify or extend the dates herein shall be made in a written application in accordance with Court's Individual Rules and Practices for Civil Cases and shall be made no fewer than two business days prior to the expiration of the date sought to be extended. Absent exceptional circumstances, extensions will not be granted after deadlines have already passed.

SO ORDERED.

Dated: March 8, 2023
New York, New York



JESSE M. FURMAN
United States District Judge